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ZUCKER, GOLDBERG & ACKERMAN, LLC

Attorneys for Plaintiff

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1-908-233-8500

John Bramley,	:	UNITED STATES DISTRICT COURT
	:	DISTRICT OF NEW JERSEY
	:	CASE NO. 10-57261 (DMC)
Plaintiff,	:	
vs.	:	<u>Civil Action</u>
	:	
Mortgage Access Corp. d/b/a Weichert	:	ANSWER
Financial Services and Dovenmuehle	:	
Mortgage, Inc.	:	
.	:	
Defendant(s)	:	

Defendant, Mortgage Access Corp, d/b/a/ Weichert Financial Services, A New Jersey Corporation (hereinafter "Defendant"), by way of Answer to the Complaint filed by John Bramley says:

PARTIES

Defendant denies that its principal place of business is 225 Littleton Road, Morris Plains, NJ 07950. Defendant lacks sufficient knowledge to form a belief as to the other allegations in this section, and leaves the Plaintiff to his proofs.

STATEMENT OF CAUSE

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

IN BRIEF

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

CAREFULLY CRAFTED CRIMINAL CONNIVANCE

THE BEST OF INTENTIONS

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

HOW IT WORKS

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

PETITIONER WILL PROVE THE FOLLOWING

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required. Further, Defendant leaves Plaintiff to his proofs.

PETITIONER SEEKS REMEDY

Plaintiff is not entitled to any remedy. Defendant demands judgment dismissing the complaint in its entirety with prejudice and with fees and costs awarded to the Defendant for the defense of this action.

PETITIONER HAS BEEN HARMED

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

STATEMENT OF CLAIM

DEFENDANTS LACK STANDING

No evidence of Contractual Obligation

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

No Proper Evidence of Agency

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

Special Purpose Vehicle

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

CRIMINAL CONSPIRACY AND THEFT

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

AGENT PRACTICED UP-SELLING

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

FRAUDULENT INDUCEMENT

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

EXTRA PROFIT ON SALE OF PREDATORY LOAN PRODUCT

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

Extra Commission for Late Payments

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

Extra Income for Handling Foreclosure

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

Credit Default Swap Gambling

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

LENDER ATTEMPTING TO FRAUDULENTLY COLLECT ON VOID LIEN

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

LENDER PROFIT BY CREDIT DEFAULT SWAP DERIVATIVES

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

LENDER CHARGED FALSE FEES

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

RESPA PENALTY

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

LENDER CONSPIRED WITH APPRAISER

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

LENDER CONSPIRED WITH TRUSTEE

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

DECEPTIVE ADVERTISING AND OTHER UNFAIR BUSINESS PRACTICES

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

EQUITABLE TOLLING FOR TILA AND RESPA

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

BUSINESS PRACTICES CONCERNING DISREGARDING OF UNDERWRITING STANDARDS

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

Low-Documentation/No-Documentation Loans.

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

Easing of Underwriting Standards

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

Risk Layering

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

UNJUST ENRICHMENT

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

CLAIM TO QUIET TITLE.

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

SUFFICIENCY OF PLEADING

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

CAUSES OF ACTION

BREACH OF FIDUCIARY DUTY

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

CAUSE OF ACTION – NEGLIGENCE/NEGLIGENCE PER SE

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

AGENT: COMMON LAW FRAUD

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

PETITIONER PROPERLY AVERRED A CLAIM FOR BREACH OF THE IMPLIED COVENANT OF GOOD FAITH AND FAIR DEALING.

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

CAUSE OF ACTION VIOLATION OF TRUTH IN LENDING ACT 15 U.S.C. SECTION 1601 ET SEQ

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

Defendant denies the allegations contained in this section of the Complaint, to the extent the same are directed at, or relate to, Defendant. To the extent that the allegations in this section of the Complaint are not directed at, or relate to, Defendant, no response is required.

PRAYER

WHEREFORE, Defendant demands judgment dismissing the complaint in its entirety with prejudice and with fees and costs awarded to the Defendant for the defense of this action.

ZUCKER, GOLDBERG & ACKERMAN, LLC

By /s/ Douglas J. McDonough
Douglas J. McDonough

Dated: March 8, 2011